



10 CT
#57
JC10 Rec'd PCT/PTO 25 MAR 2005

Attorney Docket: 26465U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Group Art Unit: Unknown
LOOS Examiner: Unknown
International Application Number: PCT/EP03/06435
Serial Number: 10/518,413
International Filing Date: 18 June 2003 (18.06.2003)
Filed: December 17, 2004
Title: **METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS
AND METASTASES**

TRANSMITTAL LETTER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Supplemental Information Disclosure Statement;
- (3) PTO Form 1449 with Eighteen (18) References cited;
- (4) Copies of the Eighteen (18) References cited.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: March 25, 2005

By: 

NATH & ASSOCIATES PLLC
1030 15th Street N.W., 6th Floor
Washington, D.C. 20005-1503
(202) 775-8383

Gary M. Nath
Registration Number 26,965
Tanya E. Harkins
Registration Number 52,993
Customer Number 20529

GMN/TEH/le

Attorney Docket: 26465U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Group Art Unit: Unknown
 LOOS Examiner: Unknown
 International Application Number: PCT/EP03/06435
 Serial Number: 10/518,413
 International Filing Date: 18 June 2003 (18.06.2003)
 Filed: December 17, 2004
 Title: **METHOD FOR DIAGNOSING AND TREATING NIS-EXPRESSING CARCINOMAS AND METASTASES**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

A Supplemental Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

[] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by 1.17(p).

[] d. The enclosed statement is being filed pursuant to

C.F.R. 1.97(i), for placement in the file.

- [] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[~~xxx~~] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[~~xxx~~] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

or

[] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-

1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

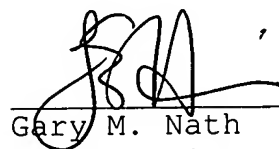
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: March 25, 2005

By:



Gary M. Nath

NATH & ASSOCIATES PLLC
1030 15th Street N.W., 6th Floor
Washington, D.C. 20005-1503
(202) 775-8383

Registration Number 26,965
Tanya E. Harkins
Registration Number 52,993
Customer Number 20529

GMN/TEH/le

FORM PTO-1449 INFORMATION DISCLOSURE CITATION			Attorney Docket: 264650		Serial Number: 10/518,413 Filing Date: December 17, 2004	
			Inventor: LOOS		International Application Number: PCT/EP03/06435	
			Group Art Unit: Unknown		International Filing Date: 18 June 2004	

U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	Filing Date	
	A1						

FOREIGN PATENT DOCUMENTS							
Document Number	Date	Country	Class	Sub-Class	Translation		
A2							

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)	
A3	Carrasco, N., "Iodide transport in the thyroid gland", <u>Biochimica et Biophysica Acta</u> , Vol. 1154, Pp. 65-82, (1993).
A4	De La Vieja, A., et al., "Molecular Analysis of the Sodium/Iodide Symporter: Impact on Thyroid and Extrathyroid Pathophysiology", <u>Physiological Reviews</u> , Vol. 80, No. 3, Pp. 1083-1105, (2000).
A5	Heufelder, A.E., "Sodium Iodide Symporter-Based Strategies for Diagnosis and Treatment of Thyroidal and Nonthyroidal Malignancies", <u>THYROID</u> , Vol. 11, No. 9, Pp. 839-847, (2001).
A6	Inoue, K., "Expression of Peroxisome Proliferator-Activated Receptor (PPAR)- γ in Human Lung Cancer", <u>Anticancer Research</u> , Vol. 21, Pp. 2471-2476, (2001).
A7	Kilgore, M.W., "MCF-7 and T47D human breast cancer cells contain a functional peroxisomal response", <u>Molecular and Cellular Endocrinology</u> , Vol. 129, Pp. 229-235, (1997).
A8	Kogai, T., "Retinoic acid induces sodium/iodide symporter gene expression and radiiodide uptake in the MCF-7 breast cancer cell line" <u>PHAS</u> , Vol. 97, No. 15, Pp. 8519-8524, (2000).
A9	Braverman, L.E., et al., (Ed.), "Chapter 80: Carcinoma of Follicular Epithelium", <u>Werner and Ingbar's: The Thyroid</u> , 7 th Ed., Lippincott-Raven Publishers: New York, Pp. 922-944, (1996).
A10	Murphy, G.J., et al., "PPAR- γ agonists: therapeutic role in diabetes, inflammation and cancer", <u>TIPS</u> , Vol. 21, Pp. 469-474, (2000).
A11	Nwankwo, J.O., et al., "Peroxisome proliferator-activated receptor- γ expression in human malignant and normal brain, breast and prostate-derived cells, <u>Prostaglandins, Leukotrienes and Essential Fatty Acids</u> , Vol. 64, No. 4 and 5, Pp. 241-245, (2001).
A12	Riedel, C., et al., "Journey of the iodide transporter NIS: from its molecular identification to its clinical role in cancer", <u>TRENDS in Biochemical Sciences</u> , Vol. 26, No. 8, Pp. 490-496, (2001).
A13	Sugiyama, Y., et al., "Mechanisms of thiazolidinedione derivatives for hypoglycemic and insulin sensitizing effects", <u>Nippon Rinsho</u> , Vol. 58, No. 2, Pp. 370-375, (2000).
A14	Tazebay, U.H., et al., "The mammary gland iodide transporter is expressed during lactation and in breast cancer", <u>Nature Medicine</u> , Vol. 4, No. 8, Pp. 871-878, (2000).
A15	Titcomb, M.W., et al., "Sensitive and Specific Detection of Retinoid Receptor Subtype Proteins in Cultured Cell and Tumor Extracts", <u>Molecular Endocrinology</u> , Vol. 8, No. 7, Pp. 870-877, (1994).
A16	Ide, T., et al., "Cross-Talk between Peroxisome Proliferator-Activated Receptor (PPAR) α and Liver X Receptor (LXR) in Nutritional Regulation of Fatty Acid Metabolism. II. LXRs Suppress Lipid Degradation Gene Promoters through Inhibition of PPAR Signaling", <u>Molecular Endocrinology</u> , Vol. 17, No. 7, Pp. 1255-1267, (2003).
A17	Behr, M., et al., "Periodically hyperthyroid phenotype in thyroid hormone resistance is associated with mutation D322N in the thyroid hormone receptor β gene: Transcriptional properties of the mutant and the role of retinoid X receptor", <u>Exp Clin Endocrinol Diabetes</u> , Vol. 104, Suppl. 4, Pp. 111-116, (1996).
A18	Schumtzler, C., "Regulation of the sodium/iodide symporter by retinoids - a review", <u>Exp. Clin. Endocrinol. Diabetes</u> , Vol. 109, Pp. 41-44, (2001).
A19	Schumtzler, C., et al., "Treatment of Prostate Cancer by Radioiodine Therapy after Tissue-specific Expression of the Sodium Iodide Symporter", <u>Cancer Research</u> , Vol. 60, Pp. 6526-6530, (2000).
A20	Spitzweg, C., et al., "In vivo sodium iodide symporter gene therapy of prostate cancer", <u>Gene Therapy</u> , Vol. 8, Pp. 1524-1531, (2001).

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	